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Mild & Hoffberg, LLP  
10 Bank Street  
Suite 460  
White Plains, NY 10606

In re Application of:	:	
Ephraim Brian Finkelstein et al.	:	
Serial No. 09/818,483	:	NOTIFICATION OF
Filed: March 27, 2001	:	IDENTIFICATION OF PRIOR
For: NEGOTIATED RIGHT EXCHANGE	:	ART IN LATE FILED PROTEST
SYSTEM AND METHOD	:	UNDER 37 CFR 1.291(a)
	:	

The protest filed June 7, 2004 under 37 CFR 1.291 was filed after the November 1, 2001 publication date of the application.

Because the protest was filed after publication of the application, it is untimely and it is not being entered in the application file. The original protest is enclosed with this letter in accordance with MPEP 1901.06, Protest Filed After Allowance or Publication of the Application.

If appropriate, applicant may wish to consider submitting prior art from the protest pursuant to 37 CFR 1.97 and 37 CFR 1.56 during the prosecution of the application.

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SM/SM: 12/6/04

Enclosure: Protest filed under 37 CFR 1.291(a)